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FISCAL IMPACT STATEMENT

LS 7793

BILL NUMBER: HB 1744

NOTE PREPARED: Jan 6, 2005

BILL AMENDED:

SUBJECT: Enforcement of Child Support Orders.

FIRST AUTHOR: Rep. Budak

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
X FEDERAL

IMPACT: State

Summary of Legislation: This bill provides that the clerk of a court that orders a parent to provide a security, a bond, or another guarantee to secure an obligation to make child support payments (bond order), orders a person to pay a child support arrearage (arrearage order), or issues a writ of attachment for a person who fails to pay a bond order or an arrearage order (writ) shall: (1) provide a copy of the bond order, arrearage order, or writ to the Child Support Bureau (Bureau); and (2) notify the Bureau if a parent has failed to obey a bond order or an arrearage order. The bill requires the Bureau to contract with a prosecuting attorney or another person to locate a parent who fails to obey a bond order or an arrearage order or for whom a writ is issued. It requires the Bureau to create a data base containing the orders and notices the Bureau receives.

Effective Date: July 1, 2005.

Explanation of State Expenditures: This bill requires the Bureau of Child Support to create a data base containing all orders and notices that (a) order a parent to provide a security, bond, another guarantee, or child support arrearage; (b) issue a writ of attachment stating that a person is missing, missing in action, interned in a neutral country, beleaguered, besieged, or captured by an enemy, dead, or alive, and have failed to provide a security, bond, another guarantee, or child support arrearage, for child support, or (c) indicate a parent has failed to obey a court order to provide a security, bond, or other guarantee, not later than 30 days after the order.

The Bureau of Child Support currently maintains the Indiana Support Enforcement Tracking System (ISETS), a federally mandated, online, automated, and integrated case management and case tracking software system. The state may be able to adapt ISETS to incorporate the requirements of this bill. If the state is unable to adapt

ISETS, it would need to create a data base. The additional cost to incorporate the aforementioned data into ISETS or the cost to create a new data base and the total work hours needed to create and maintain the date base are currently unknown.

Background Information: ISETS supports clerks and prosecutors in all 92 counties to record, track, collect, and disburse court-ordered support payments. In addition, the ISETS integrates with other systems, agencies, and employers to enhance locate and payment efforts. These include (a) driver's license suspensions, (b) employer wage garnishment, (c) unemployment compensation benefit garnishment, (d) federal and state tax offset collections, (e) professional and recreational license suspensions, (f) credit bureau reporting, and (h) financial institution data match.

Explanation of State Revenues:

Explanation of Local Expenditures: The bill also imposes certain notification and reporting requirements on the clerk of the court.

Explanation of Local Revenues:

State Agencies Affected: Family and Social Services Administration.

Local Agencies Affected: Courts.

Information Sources:

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